

Before the
FEDERAL COMMUNICATIONS COMMISSION FCC 96-236
Washington, D.C. 20554

In the matter of)

Grandfathered Short-Spaced)
FM Stations)

MM Docket No. 96-120
RM-7651

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COMMENTS

To William F. Caton, Acting Secretary, Federal Communications Commission:

1. I, Jack L. Siegal, President and General Manager of Chagal Communications, Inc., licensee of FM Stations KFOX, Redondo Beach and KREA, Ontario, both California, do hereby file these comments in the above Notice of Proposed Rule Making (NPRM). I support the Commission's proposal to revise Rule Section 73.213(a) as outlined in Proposal 1, 2 and 3 of the NPRM¹. This proposal is long overdue. The current rule section is unduly restrictive especially for those grandfathered FM stations whose protected contour is completely enclosed within another grandfathered station's contour. In such cases, there is virtually no possibility of being able to upgrade or relocate a transmitter site without a waiver of the Rules. These waiver requests consume the Commission's valuable resources. The current proposal will greatly reduce and possibly eliminate these waiver requests.

2. As pointed out in the NPRM, the problem of interference is mainly with co-channel and first adjacent channel stations. Second and third adjacent channel stations contribute

¹ Paragraph 8, Page 4 of the NPRM.

very little to existing interference due to the fact that such interference is confined to an area around the transmitter site(s) which is generally lightly populated. Any interference that does exist results in a substitution of one signal for another, not a loss of service, and modern FM receivers (even inexpensive receivers) are capable of separating second and third adjacent channel stations even in the presence of very strong interference signals.

3. The use of protection ratios to determine co-channel and first adjacent channel interference is also appropriate. While the use of overlapping contours may prove simpler than determining interference areas using the appropriate D/U ratio, it is, nevertheless, inaccurate. What is important, is to determine where the interference exists and that can only be determined by knowing where the interfering signal exceeds the desired signal by the appropriate ratio.

4. An example of how restrictive the current Rule Section 73.213(a) is, consider the case of Chagal's two stations, KFOX and KREA. Both are 3 kW Class A stations and both operate on Channel 228 (93.5 MHz). KFOX operates with an ERP of 3 kW and a HAAT of 53 meters. KREA operates with an ERP of 3 kW and a HAAT of -50 meters. Both stations are short-spaced to second adjacent channel stations KCBS-FM (Channel 226B) and KZLA-FM (Channel 230B). Both KCBS-FM and KZLA-FM are superpowered grandfathered stations operating from the same site on Mt. Wilson. KCBS-FM operates with an ERP of 28.5 kW and a HAAT of 1,066 meters and KZLA-FM operates with an ERP of 18.5 kW DA and a HAAT of 956 meters. The licensees of both KCBS-FM and KZLA-FM have told Chagal that they would oppose any application to upgrade KFOX and/or KREA to 6 kW Class A stations. In light of their stated opposition, Chagal feels it is futile to pursue such an application.

The likelihood of interference to either KCBS-FM or KZLA-FM by the KFOX and KREA upgrading to 6 kW is very remote. The KCBS-FM and KZLA-FM field strengths at the KFOX site are 78.4 dBu and 77.1 dBu, respectively. The interference level would then be 98.4 dBu for KCBS and 97.1 dBu for KZLA, which would result in a very small interference area located immediately around the KFOX transmitter site. The situation is similar for KREA.

5. The combined KFOX and KREA operation provides the only full-time FM broadcast service for the important Korean speaking population of Southern California, which now numbers over 500,000 persons. The up-grade of both KFOX and KREA to maximum Class A facilities, which would be possible under the proposed Rule change, would greatly improve service to the Korean speaking audience who now, in many areas, receive less than adequate coverage.

6. In summary, the changes proposed in the NPRM are long overdue. The Commission's proposal will restore the historic and beneficial provisions of the former 73.213(a) while maintaining a "no net increase in interference" standard with respect to co-channel and first adjacent channel grandfathered stations when site change and facility improvements are requested. The public would benefit greatly from the changes being proposed.

Respectfully Submitted,

CHAGAL COMMUNICATIONS, INC.

By Jack L. Siegal
Jack L. Siegal, President and General Manager

Date: July 3, 1996